

Prevention of the ideology of hate, genocide and hate crimes in Africa

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Tomorrow (7 June) the African Union (AU) Peace and Security Council (PSC) will convene its 1088th session on the theme 'prevention of the ideology of hate, genocide and hate crimes in Africa'. The session is to be convened in line with the Communiqué of the 678th session of the PSC that decided to convene annually an open meeting on hate crimes.

The PSC Chairperson for the month Permanent Representative of the Republic of Congo, Daniel Owassa, is expected to deliver opening remarks followed by a statement from the Commissioner for Political Affairs, Peace and Security, Bankole Adeoye. Presentations will also be delivered by the Representative of the Republic of Rwanda.

Tomorrow's session forms part of the annual commemoration of the 1994 genocide against the Tutsi's in Rwanda, which was observed on 7 April in accordance with AU Assembly Decision Assembly/ AU / Dec.695 of 2 July 2018. The PSC designated the theme of the session for remembering both the lives lost and the destruction caused in Rwanda on the one hand and the lessons learned from the genocide on the other hand. It thus serves as an occasion both to pay tribute to the women and men as well as children brutally massacred during the genocide and express solidarity with the survivors of the genocide and renew AU's and its member states responsibilities to renew its commitment to the lessons from the genocide for addressing contemporary challenges.

As widely documented including through the Organization of African Unity (OAU) International Panel of Imminent Personalities to Investigate the 1994 Genocide in Rwanda and Surrounding Events, ethnic based incitement of hate, particularly through the instrumentality of the media, was one of the drivers of the genocide against the Tutsis. Hate crimes and genocide are known to occur, not as isolated events, but rather as a result of sustained campaigns of hatred and violent incitement which develop and strengthen over a period of time. Indeed, the perpetration of ethnic violence does not start with the physical attacks against members of the target ethnic group. It starts with propagation of hate, the production and circulation of narratives having the effect of rendering members of target ethnic groups objects of both hate and dehumanization.

The impact of new communication technology and social media is another area of interest for the PSC, particularly in terms of their role in the propagation of fake news, hate speech and incitement of violence and the impact thereof. Both the speed of dissemination/circulation harmful content and the role of social media in magnifying extreme views have made incitement of hate more dangerous not only in hardening social polarization but also in inflaming tensions.

There is increasing concern that new communication technology and social media platforms have also proven to negatively impact peace and security, mainly by serving as a platform for incitement of violence and exacerbation of hate speech, including for mobilizing and recruitment by terrorist groups. The key issue arises here is promoting responsible use of social media platforms, ensuring that the companies owning the platforms institute inbuilt mechanisms both for limiting the use of the platforms for propagation of hate and incitement of violence and for encouraging content that promotes harmony, social cohesion and civil discourse.

Council may reflect on ways in which the traditional and

social media space can be used for advancing the prevention, management and resolution of conflicts and for promoting respect for democratic norms and international human rights and international humanitarian principles. Central to the prevention of incitement of ethnic hatred and genocide is to find ways of facilitating both responsible use and inhibit the abuse of such platforms for causing harm on other people. This requires various non-legal measures including the critical role of civil society, the media, community leaders and public intellectuals in the promotion of a culture of peace and ethno-cultural and religious tolerance. Of equal importance is also the role of education, including but not limited to, civic education in nurturing civil discourse. The vital role of youth and women in this regard is of particular importance. These non-legal policy measures can be supplemented as secondary and last resort instruments by the promulgation and enactment of the necessary legal frameworks on the prevention of hate speech, hate crimes and genocide. Accordingly, Council may urge Member States to sign, ratify, domesticate and implement relevant international legal instruments on hate crimes and genocide, as well as ensure proper prosecution of perpetrators of such atrocious crimes in line with international humanitarian law and international human rights law.

Additionally, as the PSC repeatedly highlighted at its previous sessions on the theme, combating impunity of genocide perpetrators and denialism is an essential part of seeking sustainable peace, justice, truth and reconciliation. This requires strengthened cooperation and coordination among Member States to prosecute or extradite suspected fugitives. Just as important is fighting against denial and revisionism of the genocide against the Tutsi which deprives healing and justice to victims/survivors, and prevents a successful process of reconciliation from taking place.

This year's commemoration and tomorrow's session comes in a

context of some worrying developments in the Great Lakes Region. The social media space in eastern Democratic Republic of Congo (DRC) is awash with inflammatory narratives and speeches that incite hate against particular ethnic groups. Given existing tensions and mistrust among communities in the region, there are concerns that such incitement of ethnic hate would further inflame tensions. The Special envoy of the UN Secretary-General during his visit to the region expressed the firm stance of the UN against hate speech which cannot be justified against anyone, anywhere and anytime. What compounds the situation further is the diplomatic row and trading of accusations between the DRC and Rwanda in the context of the resurfacing of the M23 armed rebel group and its fighting with the DRC army, FARDC that uprooted tens of thousands of civilians from their homes. While DRC accused Rwanda of supporting the M23, Rwanda accused FARDC of 'kidnapping two members of Rwandan armed forces from the border with DRC' and collaborating with Democratic Force for the Liberation of Rwanda (FDLR) Rwandan Hutu armed group operating in Congo, some of whose members took part in the 1994 genocide in Rwanda and had attacked Rwandan forces.

It is thus of immediate concern for the PSC that steps for both disrupting the dangerous rhetoric and narratives inciting hate and violence against particular groups and for initiation of steps for de-escalation of the row between Rwanda and DRC. The PSC may also welcome the initiative of Senegal's President, who chairs the AU, and Angola's President, who chairs the International Conference of the Great Lakes Region (ICGLR), to facilitate dialogue between the leaders of the two countries.

It is to be recalled that the 1994 genocide was made possible by, among others, the failures of African and international actors to take preventive measures before the mass violence started or to stop it once it has started. As the Panel of Eminent Personalities concluded that 'If there is anything

worse than the genocide itself, it is the knowledge that it did not have to happen. The simple, harsh, truth is that the genocide was not inevitable; and that it would have been relatively easy to stop it from happening prior to April 6, 1994, and then to mitigate the destruction significantly once it began.' Despite the move away from the dogmatic application of non-interference to the norm of non-indifference as enshrined in Article 4(h) of the Constitutive Act as part of the transition from the OAU to the AU, as recent events from some of the recent major conflict situations in Africa show, the continental body is experiencing a reversal of the principle of non-indifference envisaged under Article 4(h) of the Constitutive Act as the politics of indifference in the face of grave circumstances takes hold in the continent's peace and security diplomacy. The AU Commission Chairperson pointed out in his opening address to the 35th Ordinary Session of the AU Assembly that 'a restrictive, even dogmatic reading of the intangible principle of the sovereignty of the Member States raises an iron wall against any intervention by the continental organization, either as a preventive measure through early warning, or as a remedy when the crisis breaks out.' This defense of sovereignty has come to render the AU's commitment to non-indifference as encapsulated in Article 4(h) of the Constitutive Act hallow, by serving, as the Chairperson aptly put it, as 'a protective shield against all sorts of abuses occurring in a member country.'

The expected outcome of the session, if previous sessions are any guide, is expected to be a press statement. The PSC may welcome the progress that Rwanda registered in the reconstruction of the country and consolidating stability and development. It may reject denialism and revisionism of the genocide against the Tutsi, which not only denigrate the memory of the dead and the suffering of survivors but also undermines the effort to prevent its recurrence. The PSC may reiterate the need to reinvigorate the early warning mechanism as a preventative tool to enable an early response before hate

speech and crimes degenerate into violent conflicts and genocide. It may also emphasize the importance of responsible use of the media in general and social media platforms in particular and of promoting civic education, particularly among the youth, dialogue and the culture of peace, national reconciliation and healing, as well as prevention of hate crimes and genocide. The PSC may also express concern about recent trends in the ethnic-based propagation of hate targeting particular groups and the resurgence of tension in eastern DRC. It may accordingly condemn the abuse of social media platforms for engaging in such propagation of hate. The PSC may also condemn in the strongest terms the hostile acts of the M23, including its attacks against UN peacekeepers and urge that full implementation of the decision of the Nairobi summit for addressing the threat of armed rebel groups. The PSC may express concern about recent trends of the use of the defence of sovereignty by states to block the exercise by the AU of its role in supporting the effort to prevent and stop the occurrence of identity-based atrocities in accordance with the principles of non-indifference. It may reaffirm its readiness to uphold and ensure respect for AU's legal commitment to the principle of non-indifference and remind member states of their obligations to collaborate with the AU for the implementation of this principle.